This section of the Draft EIR analyzes the potential existence of hazardous materials at the project site and possible significant hazards involving the use, transport, or storage of hazardous materials. The discussion in this section is largely based on the *Preliminary Geologic, Geotechnical, Hydrogeologic, Erosion, Drainage and Environmental Phase I Assessment Proposed Ferrini Ranch Subdivision Monterey County, California* (Kleinfelder 2008), which is included as **Appendix E,** as well as a review of the *Monterey County General Plan,* the *Toro Area Plan*, and the Airport Approaches Zoning Map for the Monterey Peninsula Airport.

3.8.1 ENVIRONMENTAL SETTING

HAZARDOUS MATERIALS

Phase I Environmental Site Assessment

The Phase I Environmental Site Assessment (ESA) conducted by Kleinfelder in July 2008 consisted of the following: visual inspections of the project site and surrounding areas; reviews of historic aerial photographs and other databases; reviews of existing inventories maintained by federal, state, and local agencies; and interviews with the property owner and occupant. The following is a summary of the information and conclusions contained in the Phase I ESA.

On-Site Conditions and Structures

The project site has been used historically for agricultural uses such as cattle grazing since the early 1970s and sugar beet crop production in the flat areas of the eastern parcel prior to 1970. The project site is currently open rangeland, being used primarily for cattle grazing. Nine existing structures are on the project site. The structures include one residence, an abandoned secondary residence, an abandoned water tank and associated accessory building, a garage/storage unit, a barn, a portable office trailer, and two unknown structures. According to the Phase One Historical Assessment by JRP Historical Consulting (2008), one residence was constructed in 1925, and the abandoned residence sometime prior to 1925, but not earlier than 1900. Sheds and outbuildings are estimated to have been constructed concurrently or after the residence dating to 1925. According to the Phase I ESA, the project site is not listed on any local, state, or federal American Society for Testing and Materials (ASTM) standard database lists. The site reconnaissance conducted by Kleinfelder in November 2006 observed three water wells and associated appurtenances, one residence with eight outbuildings, and six pole-mounted transformers, a construction yard, debris pile, and cattle watering troughs.

Off-Site Conditions and Structures

Surrounding land uses include State Route 68 to the northwest with residential beyond; River Road and agricultural fields beyond to the northeast; open rangeland to the southeast; mixed rural, a public school, and residential land uses to the southwest; and Toro County Park dissecting the project site into the eastern and western parcels. Based on a review of

regulatory lists of properties within a 1-mile radius of the project site, there were five properties listed on local, state, or federal American Society for Testing and Materials (ASTM) standard databases, and nine orphan properties were identified, which are properties with insufficient information. Two of five listed properties identified, the El Toro Café and the El Toro Café and gas station, appear to be the same site, resulting in a total of four properties located cross gradient of the project site. These four properties include the 7-Eleven Food Store located at 22750 Portola Drive (also listed as Southland Site), California Highway Patrol station located at 19055 Portola Drive, the El Toro Café and gas station (listed twice) located at 663 Monterey Salinas Highway (State Route 68), and Marks Ranch located adjacent to the eastern parcel of the project site and Toro County Park. The 7-Eleven Food Store, California Highway Patrol Station, and El Toro Café and gas station are listed because they contain underground storage tanks (UST). The Marks Ranch property is an 800-acre former chicken ranch with historic residential structures and outbuildings that is located southwest of the eastern parcel of the project site. According to Kleinfelder, the site is listed as a solid waste disposal site accepting ash, construction/demolition, contaminated soil, inert, metals, and tires.

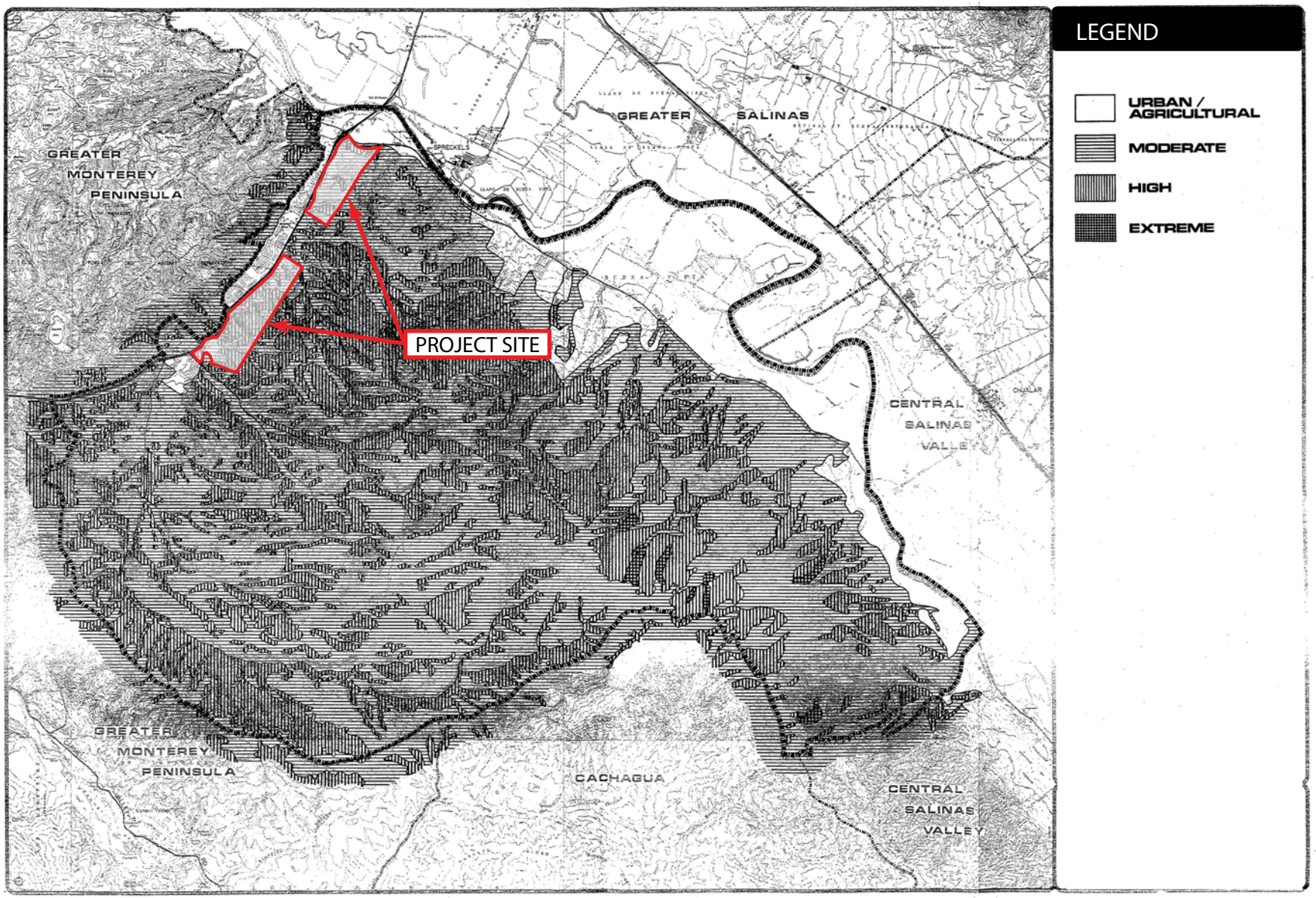
Of the nine orphan sites, one was identified as Toro Park Maintenance within Toro County Park. This orphan site appears to also contain an underground storage tank, which is likely associated with the maintenance operations of the park. The other eight properties were located along Highway 101 and State Route 68 and within the Corral de Tierra subdivision.

WILDLAND FIRE HAZARDS

The California Department of Forestry and Fire Protection is mandated by the state to prepare wildland fire hazard maps for each county and provide wildland fire suppression services to the unincorporated areas of Monterey County. According to the *Toro Area Plan*, the wildland fire hazard rating for the project is considered moderate to high as shown in **Figure 3.8-1**. This fire hazard rating is based on slope, climate, fuel loading (e.g., vegetation), and availability of water.

AIRPORT HAZARDS

There are two airports in the vicinity of the project: the Salinas Municipal Airport, located approximately 5 miles northeast of the project site; and the Monterey Regional Airport is located approximately 8 miles west of the project site. Pursuant to Section 21.86.040(A) of the *Monterey County Zoning Code*, there are five airport designation zones: Instrument Approach Zone, Non-instrument Approach Zone, Transition Zones, Horizontal Zone, and Conical Zone. Due to its distance from the airports, the project site does not lie within any of the airport designation zones or the Community Noise Equivalent Level (CNEL) contour zone.



Source: Toro Area Plan 1983

NOT TO SCALE

FIGURE 3.8-1
FIRE HAZARD AREA

PMC®

T:_CS\Work\Monterey, County of\Ferrini Ranch\Figures\Section 3-8\Figure 3..8-1 Fire Hazard Area.ai, April 2007

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3.8.2 REGULATORY SETTING

DEFINITION OF HAZARDOUS MATERIALS

A hazardous material is defined by the California Environmental Protection Agency, Department of Toxic Substances Control (DTSC), as a material that poses a significant present or potential hazard to human health and safety or the environment if released because of its quantity, concentration, or physical or chemical characteristics (26 California Code of Regulations 25501). For the purposes of this analysis, hazardous materials include raw materials, and hazardous waste includes waste generated by facilities and businesses or waste material remaining on-site as a result of past activities.

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or if it has characteristics defined as hazardous by such an agency. A hazardous material is defined in Title 22 of the California Code of Regulations (CCR) as:

> …any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material which a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment. (California Code of Regulations, Title 22, Section 66260.10)

Chemical and physical properties cause a substance to be considered hazardous, including the properties of toxicity, ignitability, corrosivity, and reactivity. These terms are defined in the CCR, Title 22, Sections 66261.20–66261.24. Factors that influence the health effects of exposure to hazardous material include the dose to which the person is exposed, the frequency of exposure, the exposure pathway, and individual susceptibility.

FEDERAL REGULATIONS

Toxic Substances Control Act

Congress enacted the Toxic Substances Control Act (TSCA) in 1976, to become effective January 1, 1977. The act authorizes the U.S. Environmental Protection Agency (EPA) to secure information on all new and existing chemical substances and to control any of these substances determined to cause an unreasonable risk to public health or the environment. The TSCA also includes requirements for the storage, use, and disposal of PCB-containing materials.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) enables the EPA to administer a regulatory program that extends from the manufacture of hazardous materials to their disposal, thus regulating the generation, transport, treatment, storage, and disposal of hazardous waste at all facilities and sites in the nation.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), also known as Superfund, was passed to facilitate the cleanup of the nation's toxic waste sites. In 1986, Superfund was amended by the Superfund Amendment and Reauthorization Act Title III (community right-to-know laws). Title III states that past and present owners of land contaminated with hazardous substances can be held liable for the entire cost of the cleanup, even if the material was dumped illegally when the property was under different ownership.

STATE REGULATIONS

California regulations are equal to or more stringent than federal regulations. The EPA has granted the State of California primary oversight responsibility to administer and enforce hazardous waste management programs. State regulations require planning and management to ensure that hazardous wastes are handled, stored, and disposed of properly to reduce risks to human health and the environment. Several key laws pertaining to hazardous wastes are discussed below.

Hazardous Materials Release Response Plans and Inventory Act of 1985

The Hazardous Materials Release Response Plans and Inventory Act, also known as the Business Plan Act, requires businesses using hazardous materials to prepare a plan that describes their facilities, inventories, emergency response plans, and training programs. Hazardous materials are defined as raw or unused materials that are part of a process or manufacturing step. They are not considered to be hazardous waste. Health concerns pertaining to the release of hazardous materials, however, are similar to those relating to hazardous waste.

Hazardous Waste Control Act

The Hazardous Waste Control Act created the state hazardous waste management program, which is similar to, but more stringent than, the federal Resource Conservation and Recovery Act program. The act is implemented by regulations contained in Title 26 of the California Code of Regulations, which describes the following required aspects for the proper management of hazardous waste: identification and classification; generation and transport; design and permitting of recycling, treatment, storage, and disposal facilities; treatment standards; operation of facilities and staff training; and closure of facilities and liability requirements.

These regulations list more than 800 materials that may be hazardous and establish criteria for identifying, packaging, and disposing of them. Under the Hazardous Waste Control Act and Title 26, the generator of hazardous waste must complete a manifest that accompanies the waste from the generator to the transporter to the ultimate disposal location. Copies of the manifest must be filed with the DTSC.

Emergency Services Act

Under the Emergency Services Act, the State developed an emergency response plan to coordinate emergency services provided by federal, state, and local agencies. Rapid response to incidents involving hazardous materials or hazardous waste is an important part of the plan, which is administered by the California Office of Emergency Services. The office coordinates the responses of other agencies, including the EPA, the California Highway Patrol, regional water quality control boards, air quality management districts, and county disaster response offices.

California Water Code

California Water Code Section 231 requires the California Department of Water Resources (DWR) to develop well standards to protect California's groundwater quality. DWR Bulletin 74-90 (Supplement to Bulletin 74-81), *California Well Standards, Water Wells, Monitoring Wells, Cathodic Protection Wells, June 1991*, contains the minimum requirements for constructing, altering, maintaining, and destroying these types of wells. The standards apply to all water well drillers in California and the local agencies that enforce them.

LOCAL REGULATIONS

County of Monterey

Wildland Fire Hazards

Section 4290 of the Public Resources Code requires the establishment of wildfire protection standards in conjunction with building, construction, and development in those areas under the direct fire protection authority of the California Department of Forestry and Fire Protection. These standards provide that future design and construction of structures, subdivisions, and developments must provide for emergency access and perimeter wildfire protection measures. Section 18.56 of the *Monterey County Code* outlines the wildfire protection standards under jurisdiction of the California Department of Forestry and Fire Protection.

Section 4117 of the Public Resources Code and the regulations promulgated by the California Department of Forestry and Fire Protection provide for local agencies, such as the County of Monterey, adopting ordinances, rules, or regulations to provide fire prevention restrictions or regulations that are necessary to meet local conditions of weather, vegetation, or other fire hazards, providing these ordinances, rules, or regulations

are equal to or more stringent than the State's minimum standards and are certified by the State of California.

Monterey County General Plan (1982)

Policies

17.3.1 In no case shall a roadway be less than 12 feet wide. Determination of the width of an all-weather surface shall be made at the time of subdivision approval. Further, the County shall revise its subdivision ordinance to address road standards including minimum width, height clearance, gradient and materials; these standards shall pertain to all new development. Minimum road widths of all new driveways, roads and streets shall be designed, constructed and maintained according to adopted County Standards (Appendix D: Standard Detail, 1977).

17.3.3 The County shall encourage all new development to be located within the response time of 15 minutes from the fire station responsible for serving the parcel. If this is not possible, on-site fire protection systems (such as fire breaks, fire-retardant building materials, and/or water storage tanks) approved by the fire jurisdiction must be installed or development may only take place at the lowest density allowed for the parcel by the General Plan.

17.3.4 The County shall require all new development to have adequate water available for fire suppression. Water availability can be provided from a conventional water system; from an approved alternative water system if within 300 feet of a habitable structure; by the fire fighting equipment of the fire district within which the property is located; or by an individual water storage facility-water tank, swimming pool, etc.–on the property itself. The fire and planning departments shall determine the adequacy and location of individual water storage to be provided.

17.4.1 All residential, commercial, and industrial structural development (not including accessory uses) in high and very high fire hazard areas shall incorporate recommendations by the local fire district before a building permit can be issued.

17.4.2 Every building, structure and/or development shall be constructed to meet, at minimum, the requirements specified in Volume I of the current edition of the Uniform Building Code, Fire Hazards Policy 17.3.5, and Table 2 of this general plan. The chief of the fire agency having jurisdiction may recommend to the appropriate decision-making authority a variation of the general plan fire hazard policies and Table 2 (but not U.B.C. standards) for such development where, in his opinion, the fire safety of the County and adjoining and nearby properties and improvements is not materially impaired by such variation.

17.4.4 House numbers shall be posted on the property so as to be clearly visible from the road. Where visibility cannot be provided, a post or sign bearing the house numbers shall be set adjacent to the driveway or access road to the property. House numbers shall be posted when construction begins.

17.4.7 The County shall require all subdivisions, multi-unit residential complexes, and commercial and industrial complexes to obtain, prior to permit approval, a statement from the fire department that adequate structural fire protection is available within minimum response time established by this Plan.

17.4.12 A zone which can inhibit the spread of wildland fire shall be required of new development in fire hazard areas to protect development. Such zones should consider irrigated greenbelts, streets, and fuel modification zones in addition to other suitable methods that may be used. The County should not accept dedications of any open space lands required as part of this fire prevention zone.

Toro Area Plan

Policies

17.3.16 Emergency access and facilities within the Toro area should be improved in order to reduce fire hazards.

17.4.13 The Toro Fire Hazards map shall be used to identify areas of high and very high fire hazard as addressed by policies in the countywide General Plan.

3.8.3 IMPACTS AND MITIGATION MEASURES

STANDARDS OF SIGNIFICANCE

The following thresholds for measuring a project's environmental impacts are based on CEQA Guidelines and standards used by the County of Monterey. For the purposes of this Draft EIR, impacts are considered significant if the following could result from implementation of the proposed project:

1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous material into the environment.

3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, sites materials, substances, or waste within one-quarter mile of an existing or proposed school.

4) Located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.

5) Result in a safety hazard for people residing or working in the project site due to proximity to an airport land use plan area, within 2 miles of public airport, or in the vicinity of a private airstrip.

6) Impair implementation of or physically interfere with an adopted emergency response plan or evacuation plan.

7) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

METHODOLOGY

The following impact evaluation is largely based on the Phase I ESA prepared by Kleinfelder in July 2008, which is contained in **Appendix E** of this Draft EIR. The Phase I ESA was performed in conformance with the American Society for Testing and Materials (ASTM) Designation E1527-00 and consisted of the following: visual inspections of the site and surrounding areas; reviews of historic aerial photographs and other property data sources; reviews of existing federal, state, and local regulatory inventories of hazardous waste generators and sites; and interviews with the property owner and occupant.

The evaluation of hazards and human health impacts is also based on the review of the *Monterey County General Plan*, the *Toro Area Plan,* and the *Comprehensive Land Use Plan for Monterey Peninsula Airport* to evaluate wildland fire hazards and airport hazards.

PROJECT IMPACTS AND MITIGATION MEASURES

Exposure to On-Site Hazardous Materials

Impact 3.8-1 Implementation of the proposed project may result in exposure of human life to on-site hazardous materials. This would be considered a **potentially significant impact.**

The proposed project is a residential development located (in part) adjacent to San Benancio Middle School. The proposed residential land uses are unlikely to create a significant hazard to the public, existing land uses, or the environment through the routine transport, use, or disposal of hazardous materials; release hazardous materials into the environment; and/or emit hazardous emissions within one-quarter mile of an existing or proposed school. However, there may be limited hazardous materials associated with construction activities, as well as existing site conditions that require treatment prior to the introduction of new residential uses.

Construction-Related Hazardous Materials

Hazardous materials would be used in varying amounts during construction activities associated with the proposed project. Construction activities would use hazardous materials such as gasoline and diesel, oils and lubricants, paints and paint thinners, cleaners, etc. The types and amounts of hazardous materials used during construction activities would vary according to the type of activity. Because development of the proposed project would be required to comply with all federal, state, and local laws and regulations governing the use, storage, transportation, and disposal of hazardous materials during construction activities, the proposed project is not anticipated to cause a significant hazard to the environment through the release of hazardous materials during construction.

Existing Hazardous Materials

According the Phase I ESA prepared by Kleinfelder, the project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. However, during the site reconnaissance and interview process conducted in November 2006, it was determined that the following areas of the project site may contain potentially hazardous materials: the debris pile observed near the residential structure; the construction yard at the corner of San Benancio Road and State Route 68; the six pole-mounted transformers; and the flat area of the eastern parcel that was historically in sugar beet production. In addition, in the vicinity of the existing barn there may be an undiscovered fuel tank and/or fuel tank equipment associated with the historical farm uses.

Debris

Vehicle tires were visible in the debris pile near the existing residence, which is also located near a recorded archaeological site. The construction yard site may also contain stained soils or imported soils or aggregates, which may expose people and groundwater resources to potential contaminants. This would be considered a **potential significant impact**. Implementation of the following mitigation measure requires the supervised removal of the existing debris pile, as well as any related contaminants that may be present at the construction yard location.

Mitigation Measure

MM 3.8-1a Prior to issuance of a grading permit for the areas involving the debris pile, and construction yard sites the Monterey County Planning Department shall require that the project applicant hire qualified environmental professionals (hazardous materials abatement and archaeologist) to observe the removal of the debris pile located at the residence and to conduct a follow-up site visit to the construction yard located at San Benancio Road and State Route 68 upon removal of the materials to assess the presence of recognized environmental concerns. Subsequent soil sampling below the debris pile and construction yard

may be necessary. If soil samples identify remnant contamination, the project applicant shall have contaminated soil removed, transported, disposed of, or otherwise abated and remediated by a certified professional in accordance with local, state, and federal regulations. The presence of the archaeologist is due to the proximity of known cultural resources in this general location.

Implementation of mitigation measure **MM 3.8-1a** will require removal of on-site hazardous materials to ensure that human life is not exposed to on-site hazardous materials associated with the existing debris pile and construction yard. Therefore, this impact would be reduced to a **less than significant impact.** Due to the recent completion of roadway improvements at SR 68 and San Benancio Road, Caltrans has been actively working at the "construction yard" site. The follow up site visit required by this measure will also serve to assess the current conditions at this location following all Caltrans mitigation implemented for the intersection improvements.

Polychlorinated Biphenyls (PCB)

Pole-mounted transformers located on the project site may contain polychlorinated biphenyls (PCB), which pose environmental health risks to humans. All pole-mounted transformers would be properly removed prior to site development in conjunction with the installation of underground utilities for the proposed project. This would remove any potential hazard from PCBs. Therefore, this would be considered a **less than significant impact.**

Residual Agricultural Hazards

The flat areas of the eastern parcel were historically in sugar beet production prior to 1970 and may contain residual hazardous materials (pesticides or herbicides) associated with agricultural practices. However, no new development or ground disturbance is proposed in this area and the fields do not pose a hazard to project residents.

Barns associated with agricultural practices frequently stored fuel tanks. Although no fuel tanks were identified during the site reconnaissance, it is possible for older tanks to be located underground. Exposure to potential undiscovered fuel tanks associated with agricultural practices may expose people and groundwater resources to potential contaminates. This would be considered a **potentially significant impact**. Implementation of the following mitigation measure would require a survey of the area around the barn for fuel tank related equipment. This would reduce exposure to on-site hazardous materials to a **less than significant level.**

Mitigation Measures

MM 3.8-1b Prior to issuance of a grading permit for the area involving the immediate vicinity of the Ferrini Ranch complex, the Monterey County Planning Department shall require that the project applicant hire a qualified environmental professional to conduct a subsurface investigation for evidence of fuel tanks and/or fuel tank equipment in the vicinity. This investigation may be accomplished through probing, electromagnetic surveying, or digging. Any fuel tank or associated equipment identified during the investigation shall be properly abated and disposed of by a qualified professional. If unidentified fuel tanks, fuel lines, or other associated equipment are discovered during grading activities, all work shall halt in that area and a qualified professional shall be contacted for abatement. This will ensure that potential exposure to fuel-related hazards is reduced.

Implementation of mitigation measure **MM 3.8-1b** will identify the existence of and remove any fuel tanks potentially located near the barn to ensure that human life and environment is not exposed to on-site hazardous materials. Therefore, this impact would be reduced to a **less than significant impact.**

Exposure to Off-Site Hazardous Materials

Impact 3.8-2 Implementation of the proposed project may result in exposure of human life to off-site hazardous materials associated with properties listed on hazardous materials databases and transportation of hazardous materials along State Route 68. However, the hazardous materials associated with the listed sites are either contained in underground storage tanks or are located a safe distance from the project site to minimize the risk of exposure, and the transportation of hazardous materials along State Route 68 is subject to various federal, state, and local regulations. Therefore, this would be considered a **less than significant impact.**

Implementation of the proposed project would develop 212 residential units and a winery facility on the project site, which is adjacent to State Route 68. The residents of the proposed project could be exposed to off-site hazardous materials associated with properties listed on hazardous materials databases and transportation of hazardous materials along State Route 68.

As discussed in the Environmental Setting subsection, four properties were identified within a 1-mile radius of the project site that are listed on the local, state, or federal hazardous materials databases and nine orphan sites were identified. The 7-Eleven Food Store, California Highway Patrol Station, and El Toro Café and gas station are listed because they contain underground storage tanks, but they are not likely to pose a significant hazard to the residents of the proposed project. However, the 7-Eleven Food Store recorded leaks in

their underground gasoline storage tanks in 1993. According to Kleinfelder, the underground storage tank leaks at this property are not likely to affect the project site or groundwater resources under the project site based on the direction of groundwater flow in the area. According to the County of Monterey Environmental Health Bureau, the location of the Marks Ranch disposal site is in the vicinity of the existing historical structures and some or all of the reported waste materials have been removed and disposed of off-site as part of the recent acquisition process. The Big Sur Land Trust owns the Marks Ranch property and is currently in negotiations with the County of Monterey Parks Department to incorporate portions of the ranch into Toro County Park. The closest proposed residence on the project site would be located approximately 2,400 feet west of Marks Ranch. Based on the distance from the closest proposed residence and the fact that some or all of the reported waste materials have been removed, this property is not likely be expose people to hazardous materials. None of the nine orphan sites are likely to affect the proposed project due one being an UST and the distance of the other eight from the project site.

The primary off-site sources hazardous materials would be from the transportation of hazardous materials along State Route 68. State Route 68 is considered a major regional route between Salinas and Monterey but is not considered a major route for transportation of hazardous materials. Infrequent hazards that may be posed by accidents involving transport of hazardous chemicals, caustics, explosives, or radioactive materials may occur on State Route 68. However, the transportation of hazardous materials along State Route 68 is subject to various federal, state, and local regulations, and the new residences are a significant distance from State Route 68. Therefore, the risk of exposure to hazardous materials on-site and/or off-site is considered a **less than significant impact**. No mitigation measures are necessary.

Exposure to Asbestos and Lead

Impact 3.8-3 Implementation of the proposed project would result in the demolition of residential structures that may contain asbestos and/or lead. This would be considered a **potentially significant impact.**

Implementation of the proposed project will require demolition of most of the nine existing structures. Of the nine structures, seven are wooden, one is metal, and one is a portable office trailer. The two residential structures are the only painted structures on the project site. Due to the age of the some of the residential structures, they could contain lead-based paint or asbestos-laden materials. Demolition of lead-based paint and/or asbestos-containing building materials could expose people to hazardous emissions that are known to cause human health risks. This would be considered a **potentially significant impact**. **The** Monterey Bay Unified Air Pollution Control District's (MBUAPCD) Rule 424, National Emission Standards for Hazardous Air Pollutants, requires an asbestos survey to identify and, if necessary, abate asbestos-containing materials contained within the building prior to demolition. Compliance with MBUAPCD Rule 424 would ensure that potential emissions of asbestos during the demolition process would not exceed applicable air quality standards. As a condition of approval, the MBUAPCD requires that all demolition is in

accordance with Rule 424. In order to protect construction workers from exposure to potential lead-based materials and ensure proper handling and disposal, the following mitigation measure has been provided.

Mitigation Measure

MM 3.8-3 Prior to approval of a demolition permit, the Monterey County Planning Department and Monterey County Department of Health Services shall require that the project applicant contract with an approved lead inspector/assessor to conduct a full site assessment for lead-based paint. Prior to general demolition and site clearing activity, all identified deteriorating lead-based paint shall be removed by a licensed lead paint abatement contractor and properly disposed of in accordance with Title 22 of the California Code of Regulations, subject to review and approval by the County of Monterey.

Implementation of mitigation measure **MM 3.8-3** would identify and properly remove and dispose of any lead-based materials on the project site. Therefore, exposure to lead-based materials would be reduced to a **less than significant level.**

Exposure to Septic System Hazards

Impact 3.8-4 Implementation of the proposed project may expose people or property to hazardous materials in connection with the historical use of septic tanks at the project site, which are considered a source of residual contamination. However, Chapter 15.20.090 of the *Monterey County Code* (Ordinance 4055, 2000; Ordinance 2731, 1981) requires that abandoned septic systems be completely filled with earth, gravel, or concrete. Therefore, this would be considered a **less than significant impact.**

According to an interview with the property owner conducted as part of the Phase I ESA, septic systems could be associated with residential structures, which are to be demolished with implementation of the proposed project. Septic systems can be a source of residual contamination.

Chapter 15.20.090 of the *Monterey County Code* (Ordinance 4055, 2000; Ordinance 2731, 1981) requires that "every cesspool, septic tank, and seepage pit which has been abandoned, or has been discontinued otherwise from further use, or to which no waste or soil pipe from a plumbing fixture is connected, shall have the sewage removed there from and be completely filled with earth, gravel or concrete." This ordinance also requires that the project applicant obtain a permit to abandon the septic tank system prior to any work being performed. Therefore, exposure to hazardous materials associated with septic systems would be considered a **less than significant impact**. No mitigation measures are necessary.

Exposure to Wildland Fire Hazards

Impact 3.8-5 Implementation of the proposed project would result in the potential to expose life and property to wildland fire hazards. However, compliance with Section 18.56 of the *Monterey County Code* (Ordinance 3600, 1992) would ensure that people or structures are not exposed to significant risk of loss, injury, or death associated with wildland fires. Therefore, this would be considered a **less than significant** impact.

According to the *Toro Area Plan,* the project site is located in a moderate to high fire risk zone as shown in **Figure 3.8-1**. The fire hazard map reflects the California Department of Forestry and Fire Protection's wildland fire hazard risk based on slope, climate, fuel loading/vegetation, and water availability. The undeveloped habitat surrounding the project site increases the risk for wildland fires in the vicinity of the project site. The proposed project would place urban uses in a somewhat unpopulated area, creating the potential for increased fire hazard and additional demand on existing service providers.

The project applicant would be required to ensure that development is designed in compliance with Section 18.56 of the *Monterey County Code* (Ordinance 3600, 1992), which would require that development include automatic sprinkler systems, non-combustible construction, extraordinary fuel modification measures, creation of evacuation areas, alternative access routes, and alternative roadway modifications. Compliance with the Monterey County Code would ensure that people or structures are not exposed to significant risk of loss, injury, or death associated with wildland fires. Compliance with Section 18.56 of the Monterey County Code would ensure that exposure to wildland fires on the project site is minimized. Therefore, this would be considered a **less than significant impact**. No mitigation measures are necessary.

Exposure to Airport Safety Hazards

There are two airports in the vicinity of the project: the Salinas Municipal Airport, located approximately 5 miles northeast of the project site; and the Monterey Regional Airport is located approximately 8 miles west of the project site. The project site is located outside the primary planning area of both airports. Due to its distance from the airport, the project site does not lie within any of the airport hazard zones or the Community Noise Equivalent Level (CNEL) contour zone. Therefore, there would be **no impact** associated with airport safety hazards.

CUMULATIVE IMPACTS AND MITIGATION MEASURES

Risk of Exposure to Hazardous Waste or Materials

Impact 3.8-6 Implementation of the proposed project, combined with future development, could result in the exposure of people and property to hazardous materials. However, hazardous materials impacts are generally site-specific and are not affected by cumulative development in the region. In addition, the proposed project itself is not anticipated to contribute to a health or hazard-related impact that would cumulatively affect the environment. Therefore, this is considered a **less than significant cumulative impact.**

Hazardous materials impacts are generally site-specific and are not affected by cumulative development in the region. Hazardous materials on the project site would be removed with implementation of mitigation measures **MM 3.8-1a, MM 3.8-1b** and **MM 3.8-3**. Chapters 15.08.120 (Ordinance 3316 Sections 1 and 2, 1988), 18.20.090, and 18.56 of the *Monterey County Code* ensure that exposure to water well hazards, septic system hazards, and wildland fire hazards is reduced to a less than significant level. The project site is not located in the Monterey Peninsula Airport's hazard zones or CNEL contour zone. The proposed project itself is not anticipated to contribute to a health or hazard-related impact that would cumulatively affect the environment. Therefore, this would be considered a **less than significant cumulative impact**. No additional mitigation measures are necessary.

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